

## The Contours of Participatory Democracy in the 21<sup>st</sup> Century

### Background

The Journal of Deliberative Democracy celebrated the publication of [\*Democracy without Shortcuts\*](#) through a roundtable discussion featuring some of the authors in this Special Issue. Journal co-editor André Bächtiger challenged Cristina Lafont, Jane Mansbridge and Mark E. Warren to characterise their vision of democracy in the twenty first century and reflect on the role of democratic deliberation in fulfilling this vision.

This discussion took place via Webex last 21 January 2021 and was co-organised by the [Journal of Deliberative Democracy](#), [ZIRIUS](#) Participation and Deliberation Lab, the [ECPR](#) Standing Group on Democratic Innovations, and the [APSA](#) Related Group on Democratic Innovations.

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### Note

This transcript is edited for clarity.

## **André Bächtiger**

I'm so pleased to see so many people, familiar faces, unfamiliar faces. The whole event is linked with the launch of the new special issue of the [Journal of Deliberative Democracy](#) on Cristina Lafont's [book](#) *Democracy without Shortcuts*. The whole journal is open access, so you can download it and I think it's really, really worth taking a look at that.

Because it's not just a [Special Issue](#) on Cristina's book, as a sort of the review, but it's much more than that. Contributors have started thinking and rethinking democracy in the 21st century, and including a wonderful piece by [Jürgen Habermas](#). Now today, I welcome three contributors of the Special Issue, and three superstars of democratic theory, Cristina Lafont, Jane Mansbridge, and Mark Warren. I'm so pleased that you have accepted the invitation to talk about participatory and democracy tonight.

So, now let's get started. I want to start with a kind of an intro question: when we look a bit and think back on the riots on Capitol Hill, and the inauguration of Joe Biden yesterday, I think it's really a big question how to think about democracy in the 21st century, particularly when we also talk about a participatory orientation of democracy. And I would like to ask the three of you starting with Cristina, how should it look like such a democracy in the 21st century? How should it look like? How can it look like. Cristina, get it started. And then comes Jane then comes Mark, and then we'll have a discussion among the three of you. Please get it started.

## **Cristina Lafont**

Thanks André, for organizing this, this is amazing. And, after all that we have seen last weeks and yesterday, it is a perfect moment to think about the future of democracy, I feel a little bit more optimistic than last week. So, in my view, I think that, when we think about how to make a participatory democracy more vibrant and better, we need to get right the reasons for the crisis of democracy that we have been witnessing, and we are still going to be witnessing for a while.

In my view, there are many reasons for the crisis, and they are complex ones. But the most important reason we need to address, we need to understand, is that citizens, no matter their political persuasion, have the impression that they are losing the power to influence decisions. What I defend in the book is that we can think of it in terms of the construction of too many anti-democratic shortcuts that allow too many powerful actors to influence political decisions directly, or to even make their decision without—in any way—having to take into account the processes of opinion formation in which the citizenry participates.

And because of this, citizens feel, even if they live in democracies, even if they haven't—in any way—lost their formal rights that they used to have—even though they can vote and they have freedom of assembly, etc.—they have the impression that those formal rights no longer really come with the power to influence political decisions, to make those decisions be responsive to their interests, their needs, and their opinions. In that way, I think the crisis of democracy, among many other reasons, is a crisis due to political alienation. Citizens cannot identify with the political decisions they are subject to, and I think that captures the matter for citizens in the right and in the left, the problem of political alienation, I think, is what is producing the raise and the backlash of populism, they attempt to say: 'hey, let's try to make the system more responsive, etc.'

So, if that is what we think is happening and that is what needs to be addressed, I think that in thinking of possible new venues of institutionalization of citizen participation, for example new ways of rethinking the political system, we need to have as the goal the possibility to increase the democratic control of the citizenry as a whole. What I tried to convey in the book, which is a kind of meta-commentary about the direction we should be going, for those who not only are thinking about democracy, but those who really actually can influence the design of new institutions, participatory institutions for example. I think that it's important that they keep the overall goal in mind, that we need to design new institutions. We need to increase participation of ordinary citizens, with the aim not just of empowering those few who may participate in those new institutions, like minipublics etc., not with the aim that they get to have more influence in those decisions, or even to make those decisions themselves but with the aim of helping us, the rest of the citizenry, which is never as a whole going to participate directly in politics, to have more control of what the decisions are, and whether they are responsive to their own views.

So, in my view, there are two possibilities: to think of new institutions as having the aim that those few that participate can participate better. I think that's great, but I don't think that this will be, per se, an increase of democratic control for the citizenry, I think that it will just simply be a nice feature to have that ordinary citizens are involved, but that is not really going to help democracy to be more vibrant. It is just only going to create new shortcuts with new types of actors, no matter whether they are ordinary citizens or not.

The best way of thinking about this is that, what we want is not to have even more shortcuts with new actors, but to help those institutions of participation to empower the rest of the citizenry.

I think that, if we agree with the democratic goal, which is actually to make in the long term the political system, or the political decision-making process, more responsive to an inclusive and properly informed considered public opinion, then we have three levels at which we can and will work, and for which new institutions can be helpful. One has to do with increasing representation of the political system to make the political system more responsive, in the sense of actually having a capacity to connect, to empathically know what the interests, values and objectives of their constituents are. Of course, the political system has been out of touch and does not seem to be sufficiently representative. If we take the example of the US there is that sense that the two big parties really cater to the 1%, the Republican Party cater only to the 1% of the wealthy and the democratic party to the 1% of the intellectual elite, whereas the other 99% are not represented.

And that explains a lot of how Trump came to power, as kind of breaking with that. So, then we need absolutely to make the political system more responsive, in that sense, more representative of the whole citizenry, for that we could have new ways of institutionalizing participation of citizens. We also need to have a properly inclusive and considered formation of public opinion and, of course, we need to regulate the social media, we have to change the business model that increases profit by increasing polarization, fake news, hatred. We know that this is the business model, so we do need to regulate that and create an alternative. We also need to increase the ability of citizens to know what problems matter, what are the political options, and they cannot do that on their own.

So even if we had a better media environment, we could use participatory institutions to offer informational shortcuts to help the citizenry detect what the problems are, what the solutions

are and could be, and to make the debate among political disagreements more centred in what really reflects the views, the interests, and the values of the citizenry, and not on the noise created by trolls, by manipulation, etc. So, in all these three levels, we could do a lot. What I think would be important is that we keep in mind in all that we are doing that the aim is really to increase the responsiveness of the political system to the views of the citizenry as a whole, rather than to just create another type of shortcut.

### **André Bächtiger**

On to you, Jane.

### **Jane Mansbridge**

Well, I'm awfully glad we're all here to talk about this question, because we do need a vibrant and robust, participatory democracy in the 21st century. Many people recognize this now. The European Consortium for Political Research has a relatively new Standing Group on Democratic Innovations, dedicated in part to understanding how to create such participatory democracy. Following their lead, the American Political Science Association has created Democratic Innovations group. I haven't seen as much interest in participatory democracy in Europe and the United States since the late 1960s. But there's a big difference between then and now: then, we were driven by hope, and now we're driven by fear. And our fear has a rational basis.

We see the anger of some of those left behind that, driven in part by racism and xenophobia, has crystallized both in Europe and the United States into an authoritarian brand of populism that threatens democracy. Only two weeks ago, we saw one result as an infuriated mob attacked the US Capitol. Today on this panel, along with many of you here, are trying to cure the ills of democracy by more democracy. We're here to expand the horizon. And fear sharpens the intellect. Jane Addams coined that phrase, 'the cure for the ills of democracy is more democracy.' John Dewey went further, saying that this phrase did not mean more machinery for the same kind of democracy, but instead clarifying and deepening our understanding of democracy. In her new book, Cristina Lafont provides that clarifying and that deepening. In our fear for the future, as we search for answers, we can turn to that clarity and depth.

So, Lafont's key goal is that citizens both own and identify with the institution's laws and policy that coerce them. Owning and identification are particularly important today, when many feel—often correctly, as Cristina said—that they have not been heard, and do not identify with the laws that coerce them. The entire book flows from that focus on ownership and identification, clarified and deepened. Now, how can citizens own and identify with institutions laws and policies that coerce them? Cristina makes many good suggestions.

My own suggestions include radical decentralization on the most sensitive issues whenever possible; new forms of facilitated negotiation at the local level; more use of random selection for citizen deliberation—on which I think everyone on this panel agrees; and better mechanisms for *recursive* communication between citizens and their representatives, with 'recursive' meaning iterated, mutually responsive communication.

We'll have time to discuss all that here. I want to leave you with one thought. Today's democratic institutions cannot produce sufficient legitimacy to sustain all the state coercion that we now need. Our increasing human interdependency has produced increasing numbers of

collective action problems that, for their solution, require more collective solidarity, more collective commitment to duty, and unfortunately, also increasing amounts of state coercion, as we become increasingly more interdependent.

The right-wing rebellions against the state are fuelled in part by a reaction against this necessarily increasing state coercion. We are right to fear those rebellions. We are right to fear the predictable resistance to the regulations that will slow climate change. If we can't figure out how to give those regulations more legitimacy, we are right to fear the worst. So today, participatory democracy is not a luxury, it's a necessity: we must have a more participatory democracy to produce the increasingly greater legitimacy that we will need.

**André Bächtiger:**

Thank you Jane, Mark?

**Mark Warren**

Thank you, André. Thank you, Cristina. Thank you, everyone, for being here. Thanks for these inspirational opening comments.

My thoughts are kind of thoughts from 30,000 feet that focus a little more on the hope side, notwithstanding the last week or so. I mean, the obvious is that our democratic ideals are under assault by people who feel their power and status slipping. And even when they're not under assault, as Jane just noted, they're eroded by disappointment, disaffection with the legacy institutions of representative democracy. So, we're in a situation where we can't do nothing.

I'm still very much an optimist. I think most historical trends are on the side of democracy, but history really needs our help at this point. I think we need to organize that help around aspirational ideals of democracy rather than grudging ideals, right? We need more than Churchill offered, when he famously said that 'democracy is the worst form of government, except for all of us other forms that have been tried from time to time.' We need ideals that inspire, and this is something that Cristina's book offers. Democracy, according to Cristina and according to a lot of us, is self-government in a deep way. Again, Jane underscored this ideal, and I want to underscore it one more time: people need to own the laws and policies of their governments. Ownership is created through participation in creating laws or revising, challenging, nudging and so on. So that a sense of ownership continually increases.

Participation needs to be supplemented with sufficient deliberation so that people know and understand how their own norms and interests reflected in collective self-government. We want self-governance for highly aspirational purposes. Self-government expresses human potentialities and capacities. Self-government reflects and expresses the moral equality of persons so that each can live the best life possible. If we can remember this, we can begin to organize, to fight back, to introduce more self-rule into our activities, organized activities that can match emerging and existing collective challenges that exceed our existing juridically organized activities, like climate change.

Democracy remains the most important political project of the last couple of centuries. There's no reason for discouragement or apathy—or there may be—but we need to push back on that. The democratic project that follows from democratic ideals is challenging, it's ambitious. One of the ways I've kind of put this, again at a very high level of abstraction, that political

systems—if they’re going to be democratic—need to do three sorts of things. First, they need to empower inclusions for individuals, inclusions in relationships that define their life chances. Second, they need to support and organize deliberation among people in order to form the interest, perspectives, and experiences they have into collective wills and agendas. Third, something that Jane has already emphasized, we need collectivities with the power, capacity and legitimacy to provide for collective goods.

If democracy can’t do these three things, it fails. But achieving these ideals is really complicated. They fly in the face of unequal power, and distribution of resources and privileges. But at the same time, we continue to see advancements in all three areas. For example, the opportunities for participatory governance and participatory democracy continued to grow and pluralize, in part for structural reasons that I shall not go into. We are also in an era when there is much more imagination being put to participatory governance and deliberative governance. There’s a whole new world of democratic innovations out there.

These innovations are still an uphill fight. Some of the fights are those of power and exclusion, but some of them have to do with limitations of scale, complexity, and scarcity of participatory resources for citizens, that is scarcities of, of time, attention, priorities, and the like. So, we need to fit participatory ideals into these realities. Partly to do this, they need to be combined with many kinds of representative relationships, and here not just elected representatives, representation through advocacy, NGOs, networks, and the like.

We need to think about lots of trustee relationships where we trust other people, other advocacy groups, other citizen bodies, bureaucracies, public trustees, to do things that we don’t have the time and attention for. Democratic societies will always be societies with high levels of trust. And trust helps us to get participatory energies and ideals to scale. So, this is part of the background that we need to be considering when we think about the contributions of democratic innovations, like deliberative minipublics, one of the key topics in Cristina’s book. Deliberative minipublics can’t do everything, as she notes, they’re actually not very good participatory devices, but they can do other things quite well. They can provide new and democratic kinds of representation.

They can benefit from high levels of trust. They put some citizens in position of representing other citizens. They provide new sites of deliberation with strong democratic credentials. They can form, capture, and represent the perspectives and the values of ordinary citizens. They can help to inspire and they can build out democratic institutions in new ways. But we do need to be clear that when we’re advocating for particular kinds of democratic innovations, like deliberative mini publics, they can’t bear the whole weight of the democratic project.

We need a full range of innovations that plug into different problems within democratic political systems. Democratic theorists can help, not just as citizens, but by imagining democratic innovations’ potential contributions, and setting expectations for what they can do, which parts of political systems they can plug into, where they can push forward, and how they can push forward pieces of the democratic project. Hopefully, we can move into a world where we have an ecology of institutions and practices that well together that push the democratic project forward even in the face of today’s considerable challenges.

**André Bächtiger**

Reactions Jane, Cristina, Mark to each other? Who wants to start?

## **Jane Mansbridge**

I want to add that when I emphasized our current fear, I did not want to de-emphasize the optimism that I also feel. I was talking about what propels us now. I lived through the 1960s; I was very engaged in participatory democracy in the cities of Boston and Cambridge; and it was a different time. Now I think we understand that because of climate change, the future is almost deathly serious. We've got to come up with some good suggestions and solutions. But that doesn't mean to say that I am not optimistic that we can do this. I think we can. I think this panel and what it represents, Cristina's book, and the Democratic Innovations groups in Europe and America, represent a new generation of people who are thinking harder than I've seen people think about this problem in many, many years. So, I am optimistic.

## **André Bächtiger**

Cristina, what about you?

## **Cristina Lafont**

I want to say something about that too, because I think, as always, when there are real crises, no crisis should be left to waste. So what can help us is precisely that there is a lot of energy coming from the citizenry really seeing the problems they are under, not because some ideas are not being fulfilled but because they have problems that are not being solved, that we see a lot of increase in interest in citizens' assemblies, we saw what happened in Ireland, I mean, it was extraordinary to see that the politicians really did not know where the population was on those issues and they were astonished to find out. So, we can kind of use the energy that comes from the crisis, at least from those who really do not want to lose democracy—which I think is the majority of citizens who live in democracies, thankfully—to actually create those innovations, because it will not help if we had to do it top-down and there was no real sense of why it will improve their lives if they actually get to participate.

So, in that way, I think there is a reason for optimism too, even with regard to those innovations. People are really realizing we need to do something, we need to influence the system, and if there are ways of participating, those will be taken on by people.

## **Mark Warren**

I wonder if we can clarify the nature of the fears that we should have with respect to older generations, younger generations, and especially backlash demographics. My sense is that democratic ideals and aspirations continue to grow in most populations, and most surveys show them growing, generation by generation.

A hopeful account of the disaster in Washington DC a couple of weeks ago, is it represented a backlash from a declining demographic. Now, Jane thinks that this is not the best way to put this, but there's a fairly persuasive book by Pippa Norris and Ronald Ingelhart, [\*Cultural Backlash\*](#), that makes this case. If they're right, demographics are on the side of more robust democracy. But the backlash can still do an incredible amount of damage, and perhaps set the cause back decades.

## **Jane Mansbridge**

I think that Pippa Norris and Ronald Inglehart make a mistake by seeming to describe what's going on as the work of a group that is not a majority and will shrink over time. I think the tip of the iceberg—the people actually storming the Capitol—is obviously a group of crazies in some ways. We've had our share of crazies on the left too. You'll find people who are willing to storm the Capitol in anything except the most moderate movement. But I think it's better to think of these people as the tip of the iceberg, in some way representing the feeling of not being heard of many, many people. And that's something that we can address. That is in fact exactly what Cristina addresses in her book, a central question: how can citizens own the laws that coerce them. You wouldn't have written this book, Cristina, if you thought they already did own those laws. So that's what we are all addressing. Everyone who has tuned into this panel is really interested in that question. It's not just a small group whose alienation we must address.

## **Cristina Lafont**

I mean, my own kind of reading of what has happened among the many things that have happened is that we had a form of technocratic government, generating a kind of neoliberal global economy behind the backs of the population because the way the global economy was shaped, was transnational—it was the decisions made in the 90s with the WTO, the trade agreements, bringing in China into the economy, etc.—and so in such a way that the population did not understand the extent to which those things that were seen as transnational and therefore kind of foreign policy issues, in fact, were going to affect them directly: whether they have a job or not, whether their manufacturing jobs went to China, etc. Now, after 30 years of neoliberal global economy that was created in a technocratic way, completely below the radar of the population, now we see the consequences. And that's has something to do with what's going on, it can't be just the crazy people who went to the Capitol, of course. It's not just the white supremacists, there is a real problem among all of those who have lost the security, that are running risks that they didn't even know they will have to run. Nobody consulted with them saying 'look, we have this way of going for free trade or not,' and I'm sure, if there had been consultation, if the people have known the reasons they were running risks, they would have insisted on more security nets, on more precautions for those who will be on the short side of the bargain, etc. Nothing like that happens.

So we went from technocracy like the economic elites actually simply implementing the interests of the most powerful—the WTO is the clearest example—to populism, like 'Oh, my God, the problem is globalization, so now let's get national, let's close borders, etc.' But both are non-democratic ways to govern, we, democrats, clearly realize that whenever we're stuck between technocracy and populism we are not going to have a citizenry that willingly runs risks.

I go back to what Jane was saying at the beginning, like the other side of the problem of coercion is that you are going to pay for the consequences with your unique life. And nobody knows when we try to tackle climate change, who is going to be on the line? Whose life is going to be the most impacted? You need to have the population behind saying 'you know what, I'm willing to run the risk for my kids and for the next generation. I'm going to run backwards.' But if you do not engage people, if you have only either technocracy or populism, then it's not going to work.



That's my reading of why this is not really a matter of a bunch of crazy white supremacists. They will never be the whole population who will try and do violent things. But what is going on behind all of it, I think, if we look at the last 30 years, has to do with the whole population, and not just with a few.

### **Jane Mansbridge**

I agree with 98% of what you say, but the 2% of disagreement addresses your point about consultation. I think that varies dramatically from country to country. For example, Denmark has a strong labour movement and a strong set of organizations that are built to be recursive, to actually be consultative. They have one of the most free trade economies in the world and yet they have very strong protections for their workers.

Even in the United States, when John F. Kennedy did the first free trade agreement, he gave a major speech and said 'when you do something that's good for lots of people but hurts some individuals, you have to compensate those you hurt.' You take money from the margins of all the good that is done, and you help out the people whom you're going to hurt. So they created something called the Trade Adjustment Assistance Act that was hugely individualistic, very badly designed. And then the process of consultation became more and more attenuated. But it's not that there wasn't any consultation or that all the different countries are equally to blame. So that's my 2% disagreement.

### **André Bächtiger**

I then to maybe move the discussion a bit back also to Cristina Lafont's book, namely, the question: what's the role of mini publics in all that? I was just thinking: what about these crazy people? Could a minipublic have helped to dampen a bit the kind of crazy spirits? What's your point on that? Because, I mean, Cristina's book is not only about minipublics—that would be an extreme limitation. But I think it still deals with that in big ways. Mark has already talked about the importance of having more deliberative minipublics. Who wants to start? What's the role of them in a future of participatory democracy?

### **Mark Warren**

I would be happy to start. In democratic theory, of course, we think about the kinds of participants who are involved in various kinds of bodies and we divide things up into bodies that are elected, bodies that are self-selected like open forums or participatory budgeting, and then bodies that are organized, randomly selected or stratified, that is minipublic. You all will be able to speak better to this than I will be—but self-selected bodies tend to attract people who are intensely interested: advocates, wing-nuts, and the like.

Minipublics represent a much more average population. You get fewer motivated reasoners, you get fewer advocates. And when people see one another face-to-face, they often moderate their views. So there is a case, at least an abstract case, for minipublics being able to depolarize the anger. I'm not quite sure how minipublics scale to get that effect at a political system level. But it might be possible to think of these terms. There is a very interesting experiment going on in Ostbelgien now, which is institutionalizing a minipublic system. You could imagine that if issue after issue were to be treated through minipublics, at least in a small enough context, like Ostbelgien, that this would produce a lot of depolarization.

## **André Bächtiger**

Who wants to step in? Cristina?

## **Cristina Lafont**

Connecting to what just Mark said, the way of thinking of minipublics in my view is that they are powerful tools that are good for many different things and that we should try to kind of pursue them all at once. For example, having minipublics—no matter how many of those, how exactly or which questions they are addressing, etc.—as an institution that gets normalized, where it can be expected that a lot of citizens will participate like in the jury, and people can expect to have participated at some point in their lives.

So having that educational effect, for example, by just the sheer fact of having minipublics as a normal institution, an institution that people are familiar with, like many others, that will have all these educational effects for those who participate, and also for everyone who doesn't participate to understand why you can trust that particular institution more than others. What is so special about it? Why is it that you can trust the fact that those were randomly selected, that they have no agenda, they have not already polarized, etc. The more those who do not participate understand what the minipublics' virtues are and why they should trust it, the better it will be for even the communication and what happens politically outside the minipublic.

But while we do that, I think that we can also try to get other 'goodies,' all the other goals that we need. For example, a problem, a limitation that I think everybody will agree with me probably so far is that they tend to be top-down. So, there is no real agenda setting effect. They already get the agenda set for them either via academics or by government institutions. In that way, that doesn't allow us, all of us who are not participating, like the citizenry in general, to have a better influence on agenda-setting. But for example, if we could have something like minipublics that are citizens-initiated, then the point of minipublics will not be only to just address some issues, but to actually give a new channel to bring issues to the public by citizens who are already self-motivated, and very engaged on questions, but so that the minipublic could evaluate which ones are more important or urgent, what the reasons are behind them, right.

So, we could have minipublics that do a lot of things at once, and not just one goal or another. What I think will be important is to make them always work towards helping empower the citizenry to make their political system responsive. For example, one case I discuss in my book is that we will need more and more anticipatory minipublics—I am using Mark's term here, namely because of the complexity of a lot of problems we have that we don't even know we have, it's hard to know which ones are going to be the most important when we don't have the time for all of us to always only react once it has become salient in the public sphere. We may want to have like detectors, minipublics that detect which problems we are running ahead towards, and that we don't even know how important they are.

So we could have anticipatory functions, like vigilant functions, putting pressure on the political system by showing that the citizenry with considered opinion really disagrees with what the political system or political parties are saying about things, for example, that put pressure on them. The other function that I think is important will be to help resolve disagreements among the citizens, this is what I call contestatory uses of minipublics.

Because there is a danger with minipublics—that they are thought in a technocratic way: there is a problem that is kind of a ‘technical’ problem, you pull a representative sample of the citizenry and then figure out the best solution. Some problems are technical, but most problems and the ones that really are of most concern and which will typically affect the well-being and the fundamental rights and freedoms of citizens are not, they are political, and those political disagreements need to be sorted out among the citizens. You can solve it among the few participants and, for that, you could have a minipublic that could help social movements, actors that are already motivated, to have a powerful tool, to use the recommendations of the minipublics as evidence against a majority, possibly a consolidated majority that has the power, to put pressure on them by saying: ‘look, you don’t have the arguments on your side, we need to review this?’

It might be that this contestatory aspect almost never shows up in the literature on minipublics because there’s so much attention on what happens between them and the public. But I think that we do have political disagreements. And if we fool ourselves thinking about problems as merely technical, it’s not going to work, because, even for climate change, we need to have technical solutions, but we need to convince people that the risks are worth taking, even though they may pay the consequences in their generation, their life is done, they really run the risks, and maybe the benefits are only for the next generation. You can’t just do that with a minipublic, right? You just need to convince people that that is worth doing, and minipublics can give recommendations, but the action has to be in the public sphere with the citizenry.

### **André Bächtiger**

Can I ask one little further up question, because I think you have raised for me a bit of a trade off: in one way, I love the idea of citizens initiated minipublics but on the other hand, you could say random selection is a sort of a top-down process. If you want to actually participate, you cannot because you’re not selected. So it’s a question to all of you. And please jump in on what Cristina said before anyway.

### **Cristina Lafont**

I just want to say: I’m very aware, I wanted to work our way. I don’t think self-selection for social movements or groups that are motivated to bring something to the political agenda is a problem per se. I think it’s crucial, it is great. But it does require some kind of filter that is representative of the citizenry as a whole, because some self-motivated groups may have political agendas that are not really in tune with or in sync with what the citizenry wants. I don’t have a rosy view of social movements and civic groups. They can be nice, and they can be nasty.

So, I want to have the participants randomly selected, it doesn’t matter whether it is top-down in that way. Organizing, institutionalizing, is going to be top-down. But that is perfect. It is not a problem if citizens are going to not be self-selecting, but they are going to get a look at the proposals coming from society, to see which ones to recommend, to explain what the reasons are. So that is what I said that they can do for us, for all of us. Well, not necessarily for each case, motivated.

### **Jane Mansbridge**

The practice of minipublics is rapidly developing and I think some of the innovations are beginning to answer some of the questions that Cristina and Mark raised. For example, the question of agenda setting. Terrill Bouricius wrote a paper a while ago (2013) about [multi-body minipublics](#). That's happening now in Bogota, Columbia, in something called an Itinerant Citizens' Assembly, where one randomly selected citizens' assembly sets the agenda, then passes the baton on to another citizens' assembly, which may have in it a few members of the first group but is mostly a new group. The second group goes further and suggests some form of action and the state tries to perform that action. Then a third citizens' assembly comes back and monitors what the state actually did. So, these multi-stage assemblies are already being practiced in Colombia, in Bogota.

So on agenda setting, we're beginning to wrap our minds around how to give that agenda-setting task to the citizens in practice. On scaling up, I think there are two ways to go. First, people are experimenting with all sorts of ways of connecting elected representatives to the minipublics. That is a very contested issue, because will the representatives, if they're present, in any way intimidate the citizens? So far, that doesn't seem to be the case. It is an empirical matter what you do to preserve the independence of the citizens, but it looks like people are experimenting. The East Belgian case that Mark mentioned, is one in which there's quite a direct connection with the parliament, that helps with scaling up. It helps the minipublic to have an effect right away.

We don't know yet. Everybody is watching East Belgium to see how that works. But another way of scaling up is something that I've been pushing forever and has never happened. I would love to see the organizers of minipublics give tablets or laptops to participants to do the pre- and post-questionnaires. That way you could tell right after the moment of deliberation, after the event, who's changed her mind or his mind. Then you could have a bunch of students with the videos on their iPhones going to interview the people who've changed their minds, asking why? Too many of the reports of these minipublics, in my view, stress just the numbers: there's been this change, from x to y numerically; before, there was a majority for A and now, there's a majority for B. Rather than giving the reasons people changed their minds. If you had people interviewed about their reasons, and broadcast those reasons, then I think, although it would not be a way to scale minipublics, but it might be a way of taking the reasons to scale.

For example, [America in One Room](#) is a great example of previously polarized ordinary citizens moving in their views toward more moderate solutions. But it doesn't capture the contestatory feature that Cristina rightly wants to keep in there. The world is not just all 'kumbaya.' These political contests are real. I think interviewing people about their reasons would expose that conflict. Those three questions—of agenda setting, scale and keeping the conflict visible—not just having the goal be, 'Oh, wonderful, they've ended up somewhere in the middle'—are tremendously important.

### **André Bächtiger**

Mark maybe a short reaction? Because I would have a last question for the three of you.

### **Mark Warren**

This just underscores a couple of things that Cristina and Jane have mentioned about whether the agendas are being controlled by citizens or by elites. And it's fair to say that most

minipublics to date have been elite controlled, often on fairly technical issues, and they're top down. The reason that the East Belgian case is so interesting is that it is one of these examples of a multistage process that Jane is mentioning, where one citizen body identifies issues for which ad hoc citizens assemblies can be established and then dissolved. So, there is some citizen control over the agenda there. Another important example is the Oregon citizens' initiative review, which is a response to ballot initiatives which are generated by collecting signatures.

And then the state legislature takes a few of these—ones they consider important—and sends them over to a small, deliberative minipublic, a citizens jury, which they hope then will help to guide citizens by drawing attention to the issues, educating citizens, and perhaps operating as a kind of trusted information proxy. And then there are cases—André will know more about these—there are some interesting proposals in Switzerland for improving referendums by running issues through deliberative minipublics.

The final thing I want to say is, there are many cases where deliberative minipublics are a response to advocacy, where the advocacy has become gridlocked or where the advocacy is producing really bad representative distortions, and I could go into a case or two of that. In these cases, the deliberative minipublics probably needs to be viewed as addressing the representative defects of advocacy. In these cases, we should evaluate deliberative not so much as participatory democracy, but rather as a new kind of representative democracy—some citizens representing other citizens—in ways that improve representation within democracies.

### **André Bächtiger**

For the last question, I would want to a more abstract question, namely, asking how do we theorize democracy? How do we study democracy in the 21st century? And I think many would say today: 'well, in some way, we have certain models of democracy that we want to promote, like deliberative democracy or direct democracy.' Mark has just alluded to that. But there's also a lot of ways of thinking through these things and when we started the whole idea about this event, people are already talking a bit about that, saying 'We are probably the four of us are sort of problem-based thinkers,' in the sense that we would say, we are interested in goals, functions of democracy, and then look back a bit at the practices.

My question back to you. And I still know that there are a lot of advocates out there for better democracy and they are normally model thinkers, because that's the way how you go: 'you want more direct democracy, you want more deliberation.' But maybe a problem-based approach is a much more kind of nuanced and kind of a bit of distant approach to all that. I would just want to ask you: how should we do that? How should we go about this? Maybe Mark could make a little start intro, what was your motivation to move away from models? Maybe clarify that and then we step into the discussion.

### **Mark Warren**

Oh, thanks, André. A number of years ago, I found that I stopped teaching models of democracy and then I had to figure out why I stopped teaching, and the answer was really pretty simple, which is that models tend to be built out of single techniques, voting elections for example, or deliberation, or problems of collective action. And each model then adjusts to become more complicated than that. But there seemed to be a kind of theoretical constraint there. So, what I suggested was that we back off of models and ask: what does a political system

need to accomplish if it's going to be democratic? Then I kind of sorted these accomplishments into three very broad categories: it needs to empower inclusions; it needs to formulate these inclusions into collective agendas and wills; and it needs to generate the capacity for collective decisions, to get things done so that the polity can provide collectively for its people.

Once you sort these things out, then what you see is that a variety of techniques that are associated with democracy, like voting, elections, deliberating, representing, or joining, and exiting or associations, recognizing others, and so on, that these have different strengths and weaknesses relative to these functions. For example, voting is a really, really good device for equally empowering people. Votes are little pieces of power. The votes are also information poor, right? People vote in secret, who knows what they're voting for, and so on. Deliberative minipublics are really good for increasing the quality of citizen deliberation, but probably not very good participatory devices.

And so, what this adds up to is that, if we keep our eye on the kind of normative elements of democracy, then we can ask what all of these techniques are good for, what are they accomplishing within a political system, and begin to think about a whole ecology of institutions, where there's a kind of broad division of labour across the things that need to be accomplished in a political system, to democratize it; and think about how that division of labor ought to look. A final thing I would say is that every system is highly path dependent. We only get to start from where we are now. This means that we need to think about functional equivalents within different systems for achieving democratic goals. I think this way of thinking helps us think about functional equivalents, rather than being a die-hard minipublic person or a die-hard elections person. We need to evolve beyond this models-based thinking if we're going to continue the democratic project.

### **André Bächtiger**

Reactions. Cristina, Jane?

### **Cristina Lafont**

I completely agree with what Mark has said. I love [his article](#), I thought it was really important. Instead of kind of reinstate what he has said, which I really believe just as he said it, let me give an example of why it matters a lot, particularly for deliberative democracy and deliberative democrats. I have always found the problem that when people are thinking in terms of models, they are accepting a kind of mirror view. The idea is that if you are a deliberative democrat, that means that you have a view of deliberation, or actions that are deliberative, and that gives you the model for political action in general. And that creates, of course, the caricature that critics have of deliberative democracy as wanting to compare politics with a philosophy seminar, or even a minipublic. And I think that is so damaging for deliberative democracy, which is the kind of conception of democracy that we really care about.

And it is, in my view, because deliberative democracy is really, at its core, a new criterion of legitimacy. It is telling you that only when the political system is responsive to an inclusive and considered public opinion, decisions that emerge out of that feedback loop have democratic legitimacy. But that has nothing to do with telling you what the appropriate actions are to create that kind of virtuous feedback loop that generates democratic legitimacy. But this is not because deliberation has nothing to say or has no impact. No, it's because you should not have this mirror view about political action. For example, it's obvious that, in order to have even a

minipublic, you need to have some political issue been already salient and worth changing formal arguments about it. But you cannot generate saliency and political importance and the emotions that come with it by exchanging formal arguments.

This is just simply silly. It's not because it's too utopian, it is because is a category mistake that has nothing to do with it. No exchange of formal arguments could have had the impact on the opinions of white people in America about police brutality that the video of killing George Floyd did. But that's not because there is something wrong about formal arguments or philosophy seminars. It is simply because we are talking about many different aspects, and so the deliberative democracy view is not a view about what kinds of actions are the way we want to shape our polity; it is about judging any types of action, any types of political program with the constraint that it has to be compatible with public scrutiny.

It has to be able to survive the objections that people will bring to your program, to your political action, and be willing to be sensitive to those objections and to those problems and react accordingly. And so that way, you can distinguish political programs that are not democratic, because they are not willing to make their program itself dependent on whether they can survive public scrutiny, and those who are right. But then you have all types of actions, all kinds of models, all types of tools, whether it's voting, deliberating; all kinds of possible political actions, civil disobedience, sit-ins, testimonies ... anything that are the different things that need to be done to bring a question to the political deliberation. So, it does matter. It is not only that it will make you only focus on deliberative actions, it is that you don't really have a viable view of democracy.

If you are really thinking that all types of political action have to look like an exchange of formal arguments and it is simply that the other actions are okay: 'deliberation is just optional.' No, if public scrutiny is the core of legitimacy, you are a deliberative democrat in my view, right, for example. So, I think that it matters whether you go for goals or models. I think the mirror idea is damaging and it has done a lot of damage to deliberative democracy in particular.

**André Bächtiger**

Jane, a last word, and then I will jump into the discussion, open for everyone. Jane?

**Jane Mansbridge**

Right, I want to get to the discussion, so I'll be brief. I think all three of us really liked Mark's paper. I've never taught models; I've never really paid attention to models; I've never thought they were helpful, because I see democracy, always, as a dynamic project, a work in progress, something that every generation, and every partial generation, is trying to change and make better, using pieces from here and pieces from there. And that's the way I think it ought to be. I just want to pick up one thing when you said, Mark, that the minipublics are not very good on the participatory front. I think that's true at the moment, but let's think about Michael Neblo, David Lazer and Kevin Esterling's [project](#) in which, in the United States, they've arranged for 175 constituents to get together on the internet for an hour with their elected representative.

They've managed to have this group proportional to the population. Poor people participated as much as rich people, and the only people who over-participated were the unemployed and people with children under 12 in the home. That's because both of those groups are sitting at home with laptops. But those aren't the worst people to have over-represented. So it's a pretty

representative group of 175 constituents, getting together with their elected representative for an hour to discuss just one topic in some depth. Now, it's not very deliberative; it's more question and answer, but it could be tweaked to be made more deliberative. My point is, and what Mike Neblo says, is that it's just a matter of arithmetic.

If every member of the US Congress—every Senator and every member of the House of Representatives—did a consultation like this, just twice a week—that's only two hours a week, that's all—they could cover a quarter of their constituents in six years. Now, if that were institutionalized, all of us would have had that experience a couple of times in our lifetimes. Not only that, our friends would have it too; we'd be talking about it; kids would be taught in school how to do it and asked, 'When you are asked, what will you say?' They could conduct mock deliberations, back and forth. It would be assumed that you could expect at least a couple times in your lifetime to have this happen and you'd expect all your friends to have it happen to them. It could change the whole participatory vibe in a country.

### **André Bächtiger**

Fantastic. That was a great discussion, and it will go on. I will now open the floor. But in order to have an orderly discussion as we do it in a good minipublic, please put in a hash key in the chat or some sign, and then I will call you. Then you can just direct your question to Cristina, Jane or Mark.

### **André Bächtiger**

Let me see. Okay, we have Emiliano Grosman.

### **Emiliano (Participant)**

Hi, everyone. Thank you very much for this impressive presentation. I must admit, I'm a little in awe seeing the three of you at the same time, because I am a big fan of all of you. I have a question a little bit more general. So I hear that you have talked quite a bit about bottom-up dynamics, and the three of you trust bottom-up dynamics. But something that we have learned in recent years is that the top-down processes can be very harmful. So to the extent that the Republican Party has shaped generations of an electorate into a way that makes it hardly compatible with the kind of deliberation that you're calling for. So I have two questions. How can we ensure that those top down dynamics become less harmful and more favourable to more deliberative democracy, on the one hand? And the other question, which is because I fundamentally am very fond of representative democracy. Originally, parliamentary assemblies were about deliberation. Right. So there, this got lost somewhere and wait, you know...

### **André Bächtiger**

Sorry, for interrupting, can you be short please?

### **Emiliano (Participant)**

Okay. Is there a way to improve or recreate deliberative practices at the level of central representative institutions? Thank you.



### **André Bächtiger**

Please, who wants to jump in? But also short answer so that we can take as many as we can. Who wants to answer Emiliano?

### **Jane Mansbridge**

Just very quickly on that last question: how to ensure that parliamentarians deliberate. I would move back from our current pressure for transparency. I would rethink when we want to have public debate and when we want to provide private spaces for parliamentarians to debate. André's own work has shown that you get much more deliberative creativity in a private chamber than in the public chamber where people are just making speeches.

### **André Bächtiger**

Okay. Mark, please?

### **Mark Warren**

I would have referred this question back to André because he's done such fabulous work on the question of what types of parliamentary arrangements and electoral systems can be combined to produce better deliberative products, which we absolutely need. So that's the main question: the shaping of the electorate. That's really tough, I mean, going back to the American situation, I don't want to Americanize all of this, but the shaping of the electorate that produced Donald Trump goes back at least to Nixon's southern strategy. The lesson for this is that grassroots organizations are really important. It's not necessarily very deliberative, but the most successful social movements in the US have actually been right-wing social movements over the last 40 years, and that needs to change, and I think it is changing.

### **André Bächtiger**

Cristina, did you want to react?

### **Cristina Lafont**

On the first question, if I understood it correctly, it had to do with the fact that for any kind of institutions that is heavily top down, you will have those types of bad effects and I think that this is with regard to new institutions like minipublics important that they get shaped in a way that is not top down, but that we create things that really give the capacity of agenda setting to the citizenry, because if they get understood to be top-down in that way, they won't actually ever have these other effects. So that to me, that's why it matters now, because they are becoming more widespread and more known, that we push for being able to really not be top down to have input from the citizenry.

### **André Bächtiger**

I move on to Michael. But just one short question each.

### **Michael (Participant)**

Thank you very much and thank you everyone for your presentation. It's great to see everybody I would like to ask the question of, it doesn't seem to come up very much, and, Cristina, I think your book's proposal is very good. And that is the question of how do we maintain legitimacy for the people who lose elections, who lose decisions? How do they feel like they have ownership when they actually go through the whole process and don't get the decision their way? Because I think that's the fundamental thing that's happening at the moment is that we've always had decisions losing but now the losses seem existential and that's what's undermining these kinds of legitimacy. So how do we deal with the issue of winning and losing?

### **André Bächtiger**

Cristina?

### **Cristina Lafont**

I mean, it's a very complex question and it has many aspects. In the book, I do discuss some of them, but just roughly, and this is not a complete answer, I think that there is an important distinction between losing on issues that you think are still within the realm of what is reasonable, and losing on issues that you think are existential, that do actually are a violation of your fundamental rights. To me, that distinction is important in a democracy, how I understand constitutional democracy.

So what we need is to have ways of contestation that can help those who lose on that, to reopen the debate to bring new ways of making clear to a consolidated majority that the issues are too important to just lose, because if you are not in the majority you need a kind of counter-majoritarian institution. I only talk about the example of judicial review as a way of contestation, a way to empower citizens to reopen the case, even if you lose in the lower levels, in the construction of human rights courts, even transnational, that are supposed to help us always have a viable way for even a single individual to question the losing of decisions that they themselves still don't see as reasonable, whether they are right or wrong. What we need is to have more of that. I think many other types of institutions, even minipublics could help to have this ability for citizens on the losing side to make their case again, and again, and not having the impression that if you lose the election, 'that's it!' even if you are in the minority that says that it has legitimacy. I don't think that a purely majoritarian view of legitimacy is feasible and then we also see the backlash that we're seeing.

### **Jane Mansbridge**

Right. And we may have all noticed that someone in the chat just pointed out too that the first-past-the-post system is particularly polarizing. In a multi-party system, you might hope that even if you lost, with a coalition of many parties governing, you might be able to get X, Y and Z and here, you might be able to do this and that and the other thing. So polarization is particularly bad in a two-party system with first-past the-post electoral structure.

### **Mark Warren**

Yeah, I would agree with that. I want to add that this issue keeps democrats up at night. First-past-the-post systems often map issues that could be negotiated onto identity-based issues that are then difficult to negotiate. And this makes it very difficult for losers to accept results.

Minipublics work in very different ways. People get into a room, they appreciate where other people are coming from, and the identity polarization tends to break down in favor of negotiable issues. Michael Morrell, who studies deliberative democracy and political psychology, has some very interesting work on these dynamics.

**André Bächtiger**

We have a next question from Joanna.

**Joanna (Participant)**

Thank you. Hello. A lot of what's been discussed has been the role of deliberative processes as agenda setting or capturing or shifting public opinion. But part of deliberation and deliberative processes is also about creating meaningful policy change. So I guess I'm wondering how do you balance the kind of bottom-up agenda setting and self-ownership alongside the policy priorities of leaders? Or how do you actually create meaningful policy change?

I think it's essentially: is there a trade-off between capturing public opinion and doing bottom-up deliberative processes leading to recommendations that actually have an opportunity to create policy change?

**André Bächtiger**

Mark, please go.

**Mark Warren**

In the minipublic world, the majority of minipublics are driven by policy problems and tend to be linked in the policy process. Often these are relatively narrowly technocratic issues, but they don't have to be. But the advantage of top-down agendas for minipublics is that the results are likely to be more effective, because they are plugged into policy agendas. The bottom up parts are much more important for things that citizens are prioritizing, and it's often when elites are worried that they are not picking up kind of the rational grassroots that they will accept or respond to grassroots driven minipublics' types of models. I don't know that I have more intelligent things to say from that.

**André Bächtiger**

Cristina, Jane?

**Jane Mansbridge**

That's good.

**André Bächtiger**

Okay. I think I must admit: I lose a bit track in the chat, so I may not be able to include everyone. But I have seen a kind of a remark from somewhere. And please go ahead, Quentin then Gisella.

### **Unknown Name 2 (Participant)**

Thank you for the opportunity. I posted a question sorry about jumping the gun. But I think this has been fascinating, and I've been looking at this as the general issue of changing conditions in society through government. And the 'what' was pretty easy, I have to say—even though the book isn't published yet—but the 'how' is not. And two parts of that were the citizen engagement. I think that's one of the two solutions to every part of the model, and the other piece was measuring outcomes or being more outcome focused and measuring those outcomes. I wondered if there's any intersection between these two areas of study, from the work that you've all experienced, experienced as you've worked on deliberation?

### **Mark Warren**

The only thing that I want to say about that citizen engagement comes in lots of different styles and models. I'd invite people to check [Participedia](#) if you want for the huge range of participation models. Measuring outcomes for these kinds of things, however, is really difficult, and others can maybe jump into this. I agree would be really nice to be able to measure outcomes, but they're really hard to track. We do have some ethnographies that trace the ways which particular citizen engagement feed though into policy, though we can rarely measure their impact on political system legitimacy. But it's really hard to measure. André, as one of the more empirical among us, maybe you can comment on that.

### **André Bächtiger**

I think it's a really hard question. I think Mike Neblo has done a wonderful study by looking how such minipublic interactions translate into networks, in our personal networks. And the way that you say: 'I've been participating in a minipublic and now I'm telling my friends, my family about what has happened.' And this is very hard to track, because you could say this is a very big scaling up question or issue, because people actually learn and you say: 'Oh, you have been part of a minipublic, very interesting.' So, we don't know how much the kind of diffusion of all these events actually goes. Like the writers I mean, they might also have their network, so they spread their messages, even if these are awful messages, perhaps, but they do it. But we are not good at tracking networks, we can always do good network studies, but on a specific event. That's really, really difficult, but I think that's the way we should go as well.

### **Jane Mansbridge**

In about a year and a half, there will be a book called *Assessing Deliberative Democracy*, in which André has a chapter and I've agreed to write the concluding chapter. Almost all of the chapters are written, but I haven't read any of them yet myself. I think that book will bring together everyone on the cutting edge of this question of assessing deliberative democracy.

### **André Bächtiger**

Excellent. Let me go on. Again, I just apologize if I don't, I'm not able to see everyone. I thought I had Gisela on the list, and then I have David Morrison who put questions into the chat. And then I have Victor. Please.

### **Gisela (Participant)**

Thank you. My question is with respect to how to build momentum for bottom-up deliberative processes in the presence of resistance from the politicians who, in the end, would have to give the stamp of approval to these recommendations. And I'm going on the assumption that no one here wouldn't be supporting the idea of a referendum on electoral reform for very obvious process reasons. So just a question on how to build momentum for citizen-based processes in the presence of resistance from people who might be out of a job if some of those recommendations were adopted? How do we overcome that? Thank you.

### **Cristina Lafont**

I would like to jump in. I just want to elaborate on something I mentioned in passing in my book, but I think it is interesting in the case of this type of institution. The question of how do you get power out of nowhere is always hard. Why will people who have power give it voluntarily to those who don't? And in this case, we are trying that our citizens have more power than we already have? And why will those who have it, namely the politicians in particular, give it to us? So that's always a problem, whenever you have a political struggle. But what I find particularly interesting, in the case of minipublics, is that you cannot think of these institutions as always favouring your side or the other side. So you go for an institution, and then you figure out what happens. One reason why politicians could go into further institutionalizing minipublics is because it will give them legitimacy in the obvious kind of environment we are now, where citizens are proclaiming it, etc.

Why will they buy into it? Because minipublic is an institution where you cannot second guess who is going to win when. So, I will put my hopes on its institutionalization for other questions that are not necessarily electoral reform, or like those that recreate a self-interested problem for politicians. The problem in my view is that there is a 'cunning' of institutions: you first create them thinking they'll be good for you, because they bring legitimacy, because you don't know whose side in a political debate is going to win, etc. Once you have institutionalized them, they have a kind of logic that makes it much harder for politicians to say: 'Oh, no, not electoral reform please, not the salaries of politicians.' So, I wouldn't hope that they will start there precisely. I think it will just start with other questions about environmental challenges, etc. And those who have the power will be motivated because it's not the kind of institution that clearly is going to favour one political site over another. That's why I see that there is some kind of hope. If it were otherwise, it will be probably just a pipe dream, but I do put hope and that kind of 'cunning' that could come from the fact that once they are institutionalized, it becomes harder and harder to remove questions from it.

### **Jane Mansbridge**

Yes, exactly. Cristina, you use the words 'build momentum' and the word 'institutionalize'. I think that's exactly how this is going to happen. It's going to happen drop by drop, by building it up. And why would the politicians go along with it? In the beginning, because sometimes it's good for them. I think of the decision in Rome where they had to reduce hospital beds, and not a single elected representative wanted to have hospital beds reduced in their districts. So a

citizens' assembly—in this case a Deliberative Poll—comes together, comes up with principles on how to reduce the number of hospital beds, and then the politicians can say: 'It's not me; the citizens said it.' So there are a lot of ways in which this can help elected representatives. Ironically, we started with British Columbia and Ontario with an issue of electoral reform, which really was problematic for the politicians. So many of those politicians were very much against that citizens' assembly. But you don't have to start with those issues. If you're thinking incrementally, and you want to build it up and get momentum for it, just start with the issues in which a citizens' assembly can help.

### **Mark Warren**

Can I jump in on this as well? I don't disagree with anything anybody said. But it does open up a whole area of research that we have not yet been very good at developing. One of the ways to think about this is a way that Jane is thinking about it, which is that there are kinds of issues that produce incentives for politicians to go to good processes. But for the most part, politicians, when they think of engaging the people, they think of referendums, and they think of town halls, and they usually have no knowledge of other ways of engaging citizens. They usually hate both of those because they have a difficult time controlling them, and they literally don't trust the people.

So, we usually think of trust problems, people trusting elites. If you flip that around, we need to ask: what would it take for an elected representative to trust the people? It's probably these better processes, not town halls, for example, but more like deliberative minipublics. So how do you get there? One very interesting set of cases is the Irish Citizens' Assemblies, where a strategic decision was made to include a limited number of politicians in a citizen's assembly. And the result was that politicians were impressed. They didn't know they would be impressed. But they were impressed once they saw people learn and pay attention, discuss things reasonably, and so on. There is a lot of suspicion in the minipublics world about including elites in these processes. But if it's done carefully, and with the aim of bringing politicians on side for something that they have to be involved in, to move a minimum set of recommendations into law or policy, that's something that we need to think about.

### **André Bächtiger**

Okay, I think we are running a bit out of time so I'm just being totally selective and I picked one question, which I think is a good one, to end. The question is from Rachel Walsh and she writes: I wanted to ask about the panel's views on attitudinal representativeness coming from the Irish experience. This is emerging as an issue of concern, re legitimacy as we develop our deliberative democracy practice. What's your reaction to that?

### **Rachel (Participant)**

I can expand on the question a little bit, if that's helpful. I suppose I was involved with the assembly and I'm a lawyer and a political scientist for context. But one emerging piece of evidence from the assembly has been that it was predisposed in terms of attitudes to liberalization on you the high-profile issue of abortion. And I suppose we're moving on now to thinking about using minipublics to look at very controversial issues like reunification on the island. So, what we've been trying to do work on is considering whether there is a legitimacy concern, where we are not confident in the attitudinal representativeness of the

makeup of minipublics. And so I just wanted to get your views and expertise in terms of how much we should be worried about that or not. Thanks very much.

### **Jane Mansbridge**

I think we should be worried about it quite a bit. And I don't know quite how to achieve representativeness, particularly inexpensively. An appropriately drawn random sample ought to have attitudinal as well as demographic representativeness. I think of the Citizens Assembly on Brexit held in Great Britain. They did measure attitudes. And they made sure that the attitudes were proportional to those of the population going in.

### **Cristina Lafont**

I mean, I was going to mention Fishkin's model. I mean, the Deliberative Poll model is one in which it's very important to make sure that the initial representative sample does mirror the opinion that the public has. In that case, you do need to control for not having a different kind of view to begin with than what the population has. But that should not be too hard to manage as the Deliberative Poll does that.

### **Mark Warren**

Yeah, I would just add to that often minipublics are constructed around common demographic variables. It's a little bit more difficult to include attitudes and attitudinal sorts of things. But John Dryzek, Simon Niemeyer and their group in Canberra have put a fair amount of attention to using methods like [Q-sorts](#) to see if they can kind of get a deep representation of value frames in the way the bodies are constructed. But I think it's still fairly unusual and a little bit difficult to do.

### **André Bächtiger**

I have a very last thing to the three of you. I do remember, Jane was there as well, two and a half years ago, we had a fantastic workshop on the Oxford Handbook with you and Habermas in Stuttgart. And I still remember what he wanted to say as the last thing. So he said: 'What is the most important thing in for democracy?' And he said, 'the force of the better argument'. What about you? What would you say? What's the most important thing for democracy in the 21st? century?

### **Cristina Lafont**

Wow, so, that one is taken already? (*laughs*) That's unfair. Because I do think that, in the end, the problem that we are heading towards with social media is going to be how to access information through things we thought we could have in the past and that are not sufficient and no longer even available now. So, I do think that having information and being able to exchange it and let the unforced force of the better argument work, is one of the main challenges, unfortunately.

### **André Bächtiger**

Jane?

### **Jane Mansbridge**

I think that the force of the better argument is extremely important. But I want to come back to Cristina's main point, the citizens' ownership of the law. Their sense of identification: 'These are *our* laws'. Even if you're in a minority, having a system legitimate enough to carry you through being in that minority for a period of time. I would come back to the ownership of the law.

**André Bächtiger**

Mark?

**Mark Warren**

Yeah, I don't think I have anything to add to that. I think that the way Jane puts it is absolutely essential. That kind of feeds through all of the little pieces of democracy that we worry about. And just to emphasize, Cristina's saying we, deliberative democrats, are not able yet to think about the new social media environment in ways that are helpful and productive. There may be some thoughts out there, I haven't found them. So, this is the most profoundly disturbing thing from the standpoint of the force of the better argument.

**André Bächtiger**

Yes, wonderful. I can only thank you for a wonderful conversation, for fantastic questions. Thank you so much, Cristina, Jane, and Mark and I think it's a big applause for the three of you.

**Jane Mansbridge**

Thank you for bringing us together.

**Mark Warren**

Thank you for bringing this together. Thank you for organizing. Thank you Cristina for the wonderful book.

**Cristina Lafont**

Thank you everyone for engaging with the book, and thanks for the organization.